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CASE CV0276A

CERTIFICATE OF MAILING

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June 16, 2003
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1632

Stewart A. Cederholm-Williams

Examiner: S.L. Chen

APPLICATION NO: 09/334,325

FILED: June 16, 1999

FOR: FIBRIN SEALANT AS A TRANSFECTION/TRANSFORMATION VEHICLE FOR GENE
THERAPY

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL RESPONSE

Sir:

Further in response to the Official Action mailed on March 12, 2003, the attached Supplemental Application Data Sheet is submitted. The action indicated that a new oath was required to list the provisional applications under a section for 35 USC §119(e) and not under the section for 35 USC §120.

As noted in the amendment filed June 12, 2003, for this application, the inventor on this application has died. Accordingly, the undersigned reviewed the oath in this application and how to satisfy the requirement of the Examiner. The review included a review of MPEP §601.05 and 37 CFR §§1.63, 1.67 and 1.76. It is clear from this review that errors regarding certain aspects of the oath, including the priority claim (but not, for example, inventorship errors), can be made by submitting a Supplemental Application Data Sheet. Accordingly, a Supplemental Application Data Sheet is submitted herewith.

The information on the Supplemental Data Sheet that is different from the information already on file is:

(1) that the inventor is deceased; and
(2) that the provisional applications are listed under "Domestic Priority". (It is noted that in preparing the Supplemental Application Data Sheet, the undersigned used, as a template, the data sheet in Example 3 of the "Patent Application Data Sheet Format: Guide for Submitting Bibliographic Data for Patent Applications", dated April 15, 2003. That example did not specify the sections of 35 USC under which priority is claimed. Rather, the Example simply grouped "Domestic Priority Information" and "Foreign Priority Information". On the original oath for this application, the provisional applications were, in a sense, also listed under domestic priority. Unfortunately, the form for the oath had not been updated to include provisional applications under a section for 35 USC §119(e).)

It is believed that this should satisfy the requirement of the Examiner. If there are any questions, the Examiner is cordially invited to contact the undersigned.

Once again, reconsideration of this application and allowance thereof with claims 1 and 13-17 are respectfully solicited.

Respectfully submitted,

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Date: June 16, 2003